

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
AKHMED GADZHIEVICH BILALOV, :
:
Plaintiff, : 1:20-cv-09153-AT-KNF
:
-against- : Hon. Analisa Torres
:
:
HERMAN GREF, SBERBANK CIB USA, INC., :
SBERBANK OF RUSSIA PJSC, and DOES 1- :
100 inclusive, :
:
Defendants. :
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ORAL ARGUMENT REQUESTED

NOTICE OF MOTION TO DISMISS THE SECOND AMENDED COMPLAINT

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, and upon all prior pleadings and proceedings herein, the undersigned, attorney for Sberbank of Russia¹ and Herman Gref (together, the “Russian Defendants”), hereby moves this Court for an order dismissing the Second Amended Complaint (ECF No. 51) (a) under the doctrine of *forum non conveniens*, or (b) as to the Russian Defendants pursuant to (i) Fed. R. Civ. P. 12(b)(1) for lack of subject matter jurisdiction over the claim under the Alien Tort Statute, 28 U.S.C. § 1350 (the “ATS”) and non-federal law claims, (ii) R. 12(b)(2) for lack of personal jurisdiction over the Russian Defendants, (iii) R. 12(b)(6) for failure to plead legally sustainable claims under the

¹ The caption and Second Amended Complaint erroneously refer to Sberbank of Russia as “Sberbank of Russia PJSC.”

ATS and the civil RICO statute, 18 U.S.C. § 1962 *et seq.*, and (iv) for such other and further relief as the Court may deem just and proper.²

Dated: New York, New York
September 6, 2021

DEBEVOISE & PLIMPTON LLP

By: /s/ John S. Kiernan

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² The Russian Defendants also join in the submissions made by Sberbank CIB USA, Inc. to dismiss the Second Amended Complaint.